IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

WESCO INSURANCE COMPANY

CIVIL ACTION

NO.2:16-cv-05489-AB

Plaintiff,

VS.

JURY TRIAL DEMANDED

PENN NATIONAL SECURITY INSURANCE COMPANY, d/b/a PENN NATIONAL INSURANCE

and

PENNSYLVANIA NATIONAL MUTUAL CASUALTY INSURANCE COMPANY, d/b/a PENN NATIONAL INSURANCE

Defendants.

PLAINTIFF'S NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

TO THE CLERK:

No Answer or Motion for Summary Judgment has been filed in the above-captioned case. Kindly dismiss this matter <u>without prejudice</u> pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i).

Respectfully submitted,

Dated: December 6, 2016

/s/ Frank J. Perch, III

Gale White

Frank J. Perch, III

PA ID Nos. 46485/39908

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Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing *Notice of Voluntary*Dismissal Without Prejudice to be served on all counsel of record via the Court's Electronic

Filing System and by email as set forth below:

Bernard T. Kwitowski, Esquire Thomas, Thomas & Hafer LLP 1550 Pond Road, Suite 210 Allentown, PA 18104 <u>bkwitowski@tthlaw.com</u> Attorney for Defendants

December 6, 2016

/s/ Frank J. Perch, III
Frank J. Perch, III